

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 31, 1949

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Morgan of Unity.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Reports of Committees
Ought to Pass in New Draft**

Report of the Committee on Judiciary on Bill "An Act Relating to Employees of Counties, Cities, and Towns Entitled to Membership in State Employees' Retirement System" (S. P. 406) (L. D. 741) reporting same in a new draft (S. P. 636) (L. D. 1399) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the new draft passed to be engrossed.

In the House, Report was read and accepted in concurrence and the Bill read twice and tomorrow assigned.

**Non-Concurrent Matter
Recommitted**

Resolve in Favor of Frank D. Miller, of Orland (H. P. 454) (L. D. 1349) which was finally passed in the House on March 24th and passed to be engrossed on March 17th.

Came from the Senate recommitted to the Committee on Claims in non-concurrence.

In the House: The House voted to reconsider its action taken on March 24th whereby the Resolve was finally passed.

The House then voted to reconsider its action taken on March 17th whereby the Resolve was passed to be engrossed.

Thereupon, the House voted to recommit the Resolve to the Committee on Claims in concurrence.

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" On Resolve Appropriating Moneys for

Promotion of Highway Safety (S. P. 604) (L. D. 1295)

Came from the Senate referred to the Committee on Ways and Bridges.

In the House, the Report with accompanying papers was referred to the Committee on Ways and Bridges in concurrence.

Conference Committee Appointed

The SPEAKER: At this time the Chair will announce the members of the Committee of Conference on the part of the House on the disagreeing action of the two branches of the Legislature on House Paper 364, Legislative Document 127, Bill "An Act Relating to Motor Vehicle Registration Number Plates." The members of the Committee of Conference on the part of the House are as follows: The gentleman from Madison, Mr. DeSanctis, the gentleman from Fairfield, Mr. Woodworth, and the gentleman from Lisbon, Mr. Plummer.

Mr. Burgess of Limestone, was granted unanimous consent to address the House.

Mr. BURGESS: It has come to my attention that possibly in the action we took yesterday on L. D. 532, Bill "An Act Repealing the Gasoline Road Tax," that there might be some misunderstanding of what the bill did or the present law does, so with that in mind I would like to move at this time for reconsideration of our action of yesterday on that item, and also move to table the motion and assign it for Wednesday of next week, and this is purely in order to give those who are interested in the bill an opportunity to prepare and present amendments which they believe will clarify the thing for the best interests of the people.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, with regard to Bill "An Act Repealing the Gasoline Road Tax," House Paper 1200, Legislative Document 532, whereby the House yesterday, accepted the majority report of the Committee, being "Ought not to pass," moves that the House re-

consider its action and further moves that the motion lie upon the table and be specially assigned for Wednesday, April 6th. Is this the pleasure of the House?

The motion prevailed.

The **SPEAKER**: The Chair, at this time, designates the gentleman from Aurora, Mr. Silsby, as Speaker pro tempore, and asks that the Sergeant-at-Arms escort the gentleman to the rostrum.

Thereupon, Mr. Silsby was escorted to the rostrum by the Sergeant-at-Arms, where he assumed the Chair amid the applause of the House, and Speaker Haskell retired.

House Reports of Committees Divided Report

Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Authorizing Donald S. Porter of Lowell to Sue the State of Maine (H. P. 1305) (L. D. 685)

Report was signed by the following members:

Messrs. **BARNES** of Aroostook
ELA of Somerset
 —of the Senate
McGLAUFILIN of Portland
WILLIAMS of Auburn
WOODWORTH of Fairfield
BURGESS of Rockland
 —of the House

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A".

Report was signed by the following members:

Messrs. **WARD** of Penobscot
 —of the Senate
PAYSON of Union
SILSBY of Aurora
MUSKIE of Waterville
 —of the House

(On motion by Mr. Williams of Auburn, both Reports, with accompanying papers, were tabled pending acceptance of either report, and specially assigned for Wednesday, April 6th.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Temperance reporting "Ought not to pass" on Bill "An Act Relating to Sales of Liquor to Minors" (H. P. 1811) (L. D. 1135)

Report was signed by the following members:

Messrs. **BAKER** of Kennebec
SMART of Hancock
BOUCHER of Androscoggin
 —of the Senate
DeSANCTIS of Madison
JALBERT of Lewiston
ATHERTON of Bangor
BIRD of Rockland
 —of the House

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. **SANDERSON** of Greene
BROWN of Robbinston
MAXELL of Orient
 —of the House

(On motion by Mr. Williams of Auburn, both reports, with accompanying papers, were tabled pending acceptance of either report, and specially assigned for Tuesday, April 5th.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Temperance reporting "Ought to pass" on Bill "An Act Relating to the Definition of Tavern in Liquor Law" (H. P. 1746) (L. D. 1038)

Report was signed by the following members:

Messrs. **BAKER** of Kennebec
SMART of Hancock
BOUCHER of Androscoggin
 —of the Senate
ATHERTON of Bangor
BIRD of Rockland
JALBERT of Lewiston
DeSANCTIS of Madison
 —of the House

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. SANDERSON of Greene
MAXELL of Orient
BROWN of Robbinston
—of the House

(On motion by Mr. Sanderson of Greene, both reports, with accompanying papers, were tabled pending acceptance of either report, and specially assigned for Tuesday, April 5th.

Leave to Withdraw

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act Permitting Dog Racing" (H. P. 1724) (L. D. 1033) reported leave to withdraw.

Mr. Paine from same Committee reported same on Bill "An Act Relating to Business and Entertainment on Sunday" (H. P. 181) (L. D. 57)

Mr. Maxell from the Committee on Temperance reported same on Bill "An Act to Provide for a One Man State Liquor Commissioner" (H. P. 1918) (L. D. 1280)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Oriel Trepanier, of Westbrook (H. P. 171)

Same gentleman from same Committee reported same on Resolve in Favor of Harry Day, of Etna (H. P. 1987)

Mr. Hall from same Committee reported same on Resolve in Favor of Frederick Heller, of New York, New York (H. P. 123)

Mr. Laughton from same Committee reported same on Resolve in Favor of Edwin M. Hutchinson, Jr., of Portland (H. P. 173)

Mr. Brown from the Committee on Counties reported same on Bill "An Act Relating to Business Hours for Certain County Offices (H. P. 743) (L. D. 285)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Burgess from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Relating to Filing of Accounts in Estates Upon Petition of Sureties on Bonds" (H. P. 1979) (L. D. 1361)

(On motion by Mr. Chapman of Portland, tabled pending acceptance of Committee Report)

Tabled

Mr. McGlaulin from the Committee on Judiciary reported "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Abolish the Executive Council (H. P. 1874) (L. D. 1214)

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker, I dislike to add to the burden on the table, but Item 13 should have a minority report, and for that reason I move that it lie on the table for the time being.

The SPEAKER pro tem: The gentleman from Waterville, Mr. Muskie, moves that Item 13 lie on the table pending the acceptance of the report. Is this the pleasure of the House?

The motion prevailed.

Tabled

Mr. Woodworth from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Relating to Summation Arguments by Counsel in Criminal Cases" (H. P. 1980) (L. D. 1362)

(On motion by Mr. Chapman of Portland, tabled pending acceptance of Committee Report)

Mr. Brown from the Committee on Labor reported "Ought not to pass" on Bill "An Act Relating to Payment of Wages by Hotels and Camps" (H. P. 1401) (L. D. 732)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. Atherton from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to

Incorporate the City of Brunswick” (H. P. 1982) (L. D. 1366)

(On motion by Mr. Labbe of Brunswick, tabled pending acceptance of Committee Report)

Mr. Campbell from the Committee on Legal Affairs reported “Ought not to pass” on Bill “An Act Amending the Charter of the City of Lewiston Relating to Ordinances” (H. P. 1647) (L. D. 968)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. Thomas from the Committee on Motor Vehicles reported “Ought not to pass” on Bill “An Act Relating to School Busses” (H. P. 1789) (L. D. 1137)

(On motion by Mr. Robbins of Houlton, tabled pending acceptance of Committee Report)

Mr. Brown from the Committee on Salaries and Fees reported “Ought not to pass” on Bill “An Act Increasing the Salary of Sheriff of Androscoggin County” (H. P. 1789) (L. D. 1140)

Same gentleman from same Committee reported same on Bill “An Act Relating to the Salary of the Judge of Probate of Androscoggin County” (H. P. 1850) (L. D. 1188)

Same gentleman from same Committee reported same on Bill “An Act Increasing Salaries of Probation Officer, Assistant Probation Officer and Clerk Hire in Probation Office of Androscoggin County” (H. P. 1930) (L. D. 1289)

Mr. Atherton from the Committee on Temperance reported same on Bill “An Act Relating to Sale of Malt Liquor and Vinous Liquor in Restaurants” (H. P. 1745) (L. D. 1037)

Mr. Brown from same Committee reported same on Bill “An Act Relating to Liquor Licenses in Unincorporated Places” (H. P. 1587) (L. D. 909)

Mr. Jalbert from same Committee reported same on Bill “An Act Relating to Sale of Liquor in Unorganized Territory” (H. P. 1748) (L. D. 1040)

Mr. Sanderson from same Committee reported same on Bill “An Act Relating to Local Option Liquor Voting in Unincorporated Places” (H. P. 1545) (L. D. 822)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft Tabled

Mr. Johnson from the Committee on Motor Vehicles on Bill “An Act to Require Stop Lights on School Busses” (H. P. 321) (L. D. 101) reported same in a new draft (H. P. 2023) (L. D. 1412) under same title and that it “Ought to pass”

(On motion by Mr. Robbins of Houlton, tabled pending acceptance of Committee Report)

Tabled

Mr. Plummer from the Committee on Motor Vehicles on Bill “An Act Relating to Overtaking and Passing School Busses” (H. P. 489) (L. D. 164) reported same in a new draft (H. P. 2025) (L. D. 1414) under same title and that it “Ought to pass”

Mr. Robbins of Houlton: I would just like to explain that these two bills relate to the same subject, and I move that this item also lie on the table.

(The motion prevailed and the bill was tabled pending acceptance of Committee Report)

Mr. Atherton from the Committee on Temperance on Bill “An Act Relating to Selling Liquor Near National Soldiers’ Home” (H. P. 946) (L. D. 387) reported same in a new draft (H. P. 2024) (L. D. 1413) under same title and that it “Ought to pass”

Report was read and accepted.

Thereupon, the House voted to reconsider the acceptance of the report.

The SPEAKER pro tem: The Clerk will read the corrected report.

The CLERK: (reading), Mr. Atherton from the Committee on Temperance on Bill “An Act Relating to Selling Liquor Near National Soldiers’ Home (H. P. 946) (L. D.

387) reported same in a new draft (H. P. 2024) (L. D. 1413) under title of Bill "An Act Relating to Selling Liquor near Togus Hospital) and that it "Ought to pass".

Thereupon, the Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading tomorrow.

Ought to Pass Printed Bills

Mr. Payson from the Committee on Judiciary reported "Ought to pass" on Resolve Proposing an Amendment to the Constitution to Empower the Legislature with the Consent of the People to Authorize the Issuance of State Bonds for any Purpose Stated in the Constitution (H. P. 1571) (L. D. 885)

Mr. Silsby from same Committee reported same on Bill "An Act to Validate the Acts of the Woodlawn Memorial Cemetery Association and to Authorize the Transfer to and Acceptance by the City of Brewer that Association's Cemetery and Trust Funds" (H. P. 1933) (L. D. 1308)

Mr. Campbell from the Committee on Legal Affairs reported same on Resolve Authorizing Town of Harpswell to Fill Certain Waters for Road (H. P. 1936) (L. D. 1311)

Mr. Martin from same Committee reported same on Bill "An Act Relating to Fire Escapes" (H. P. 1926) (L. D. 1286)

Mr. Paine from same Committee reported same on Bill "An Act to Provide Civil Service Rights to the Chief of Police and the Fire Chief of the City of South Portland" (H. P. 1935) (L. D. 1310)

Mr. Campbell from the Committee on Salaries and Fees reported same on Bill "An Act Relating to Clerk Hire in County Offices in Sagadahoc County" (H. P. 316) (L. D. 96)

Mr. Atherton from the Committee on Temperance reported same on Bill "An Act Relating to Retail Store Malt Liquor Licenses" (H. P. 1858) (L. D. 1195)

Reports were read and accepted and the Bills and Resolves having already been printed, the Bills were read twice under suspension of the rules, the Resolves read once, and tomorrow assigned.

Ought to Pass

With Committee Amendment

Mr. Williams from the Committee on Judiciary on Bill "An Act Relating to Establishing Boundaries of State Highways" (H. P. 1873) (L. D. 1213) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1873, L. D. 1213, Bill "An Act Relating to Establishing Boundaries of State Highways."

Amend said Bill by striking out in the 2nd line of the headnote of that part designated as Sec. 16-A thereof the following underlined words and punctuation: "; adverse possession denied"

Further amend said bill by striking out in the 7th line of that part designated as Sec. 16-A thereof the following underlined words and punctuation: "as, in their opinion, they were originally established"

Further amend said bill by striking out the last paragraph thereof.

Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow.

On motion by Miss Cormier of Rumford, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Mr. Campbell from the Committee on Legal Affairs on Bill "An Act Relating to the Bulk Sales Act" (H. P. 1505) (L. D. 812) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1505, L. D. 812, Bill "An Act Relating to the Bulk Sales Act."

Amend said Bill by adding after the underlined word "town" in the last sentence of that part commencing 'Sec. 6-A' thereof the underlined words 'or its collector'.

Thereupon, Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow.

Mr. Paine from the Committee on Legal Affairs on Bill "An Act Relating to Entertainment and Recreation on Sunday" (H. P. 1506) (L. D. 813) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was given its two several readings.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1506, L. D. 813, Bill "An Act Relating to Entertainment and Recreation on Sunday."

Amend said Bill by drawing a line through the words "in attendance upon the arrival or departure of such carriers" in the 11th line thereof.

Further amend said Bill by inserting after the underlined word "concerts" in the next to the last line of that part designated Sec. 39 the underlined words 'or theatrical productions'.

Committee Amendment "A" was then adopted, and the Bill was assigned for third reading tomorrow.

Mr. Hobbs from the Committee on Motor Vehicles on Bill "An Act Relating to Dealer's Registration" (H. P. 1515) (L. D. 890) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was given its two several readings.

Committee Amendment "A" was then read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1515, L. D. 890, Bill "An Act Relating to Dealer's Registration."

Amend said Bill by inserting in the 23rd line thereof, after the underlined word "made" and before the period, the following underlined words: '**provided, however, that if the secretary is satisfied that the applicant is engaged in the purchase and sale of trucks whose manufacturer's rated load capacity is 5 tons or more and that the applicant is not a dealer in any other type of motor vehicle, he may waive the foregoing provision**'

Committee Amendment "A" was then adopted, and the Bill was assigned for third reading tomorrow.

Mr. Campbell from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Judge of the Bangor Municipal Court" (H. P. 1194) (L. D. 597) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was given its two several readings under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1194, L. D. 597, Bill "An Act Relating to the Salary of the Judge of the Bangor Municipal Court."

Amend said Bill by striking out the underlined figures "\$4,000" in the 5th line thereof and inserting in place thereof the underlined figures '\$3,500'

Thereupon, Committee Amendment "A" was adopted, and the Bill was assigned for third reading tomorrow.

Mr. Campbell from the Committee on Salaries and Fees on Bill "An Act Relating to Salary of Judge and Clerk Hire of the Municipal Court of Waterville" (H. P. 941) (L. D. 382) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 941, L. D. 382, Bill "An Act Relating to Salary of Judge and Clerk Hire of the Municipal Court of Waterville."

Amend said Bill by striking out the underlined figures "\$1,820" in the next to the last line thereof.

Further amend said Bill by drawing a line through the words "per year" in the last line thereof.

Committee Amendment "A" was then adopted and tomorrow was assigned for third reading of the Bill.

Mr. Kent from the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Clerk of Courts in Sagadahoc County" (H. P. 757) (L. D. 294) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 757, L. D. 294, Bill "An Act Relating to the Salary of the Clerk of Courts in Sagadahoc County."

Amend said Bill by striking out the underlined figures "\$2,800" in the 4th line thereof and inserting in place thereof the underlined figures '\$2,500'

Further amend said Bill by striking out all of Sec. 2.

Committee Amendment "A" was then adopted and the Bill was assigned for third reading tomorrow.

At this point, Speaker Haskell resumed the Chair, and Mr. Silsby was conducted by the Sergeant-at-Arms to his seat on the floor, amid the applause of the House.

The **SPEAKER**: The Chair at this time notes the presence in the balcony of the Hall of the House a group from Gates Business College in Augusta, with Mrs. Lincoln in charge, the Juniors and Seniors of the Erskine Academy, Mr. Braley in charge, all of the classes of the Unity High School, Mrs. McKechem and Miss Pinkham in charge, the Besse High School in Albion, Maine, the Junior and Seniors in charge of Mr. Furtwengler, and the Eighth Grade of the Benton Station School, in charge of Miss Stoddard, also the Seventh and Eighth Grades from North Sebago School, in charge of Mrs. Frances Gray.

On behalf of the House, we bid you welcome. (Applause)

The **SPEAKER**: At this time the Chair designates the gentleman from Nobleboro, Mr. Palmer, as Speaker pro tempore, and requests the Sergeant-at-Arms to escort the gentleman to the rostrum.

Thereupon, Mr. Palmer was escorted to the rostrum by the Sergeant-at-Arms, where he assumed the Chair amid the applause of the House, and Speaker Haskell retired.

Passed to be Engrossed

Bill "An Act Concerning Harbor or River Improvements and Protection of Property Against Floods or Erosion" (S. P. 131) (L. D. 193)

Bill "An Act Relating to Tuberculosis Control" (S. P. 313) (L. D. 506)

Bill "An Act Relating to Hunting of Raccoons" (S. P. 402) (L. D. 740)

Bill "An Act Relating to Illegal Importation and Transportation of Malt Liquor" (H. P. 2015) (L. D. 1397)

Resolve Authorizing the Sale of Feeding Station Property in the County of Aroostook (S. P. 270) (L. D. 443)

Resolve Regulating Fishing in Snake and Carpenter Ponds in the County of Piscataquis (S. P. 295) (L. D. 489)

Resolve Regulating Fishing in Donnell's Pond in the County of Hancock (S. P. 298) (L. D. 492)

Resolve Regulating Fishing in Pleasant and Mud Lakes in the County of Penobscot (S. P. 347) (L. D. 573)

Resolve Authorizing the Commissioner of Inland Fisheries and Game to Convey the Interest of the State in Certain Land in Township 10, S. D. (H. P. 1694) (L. D. 1028)

Resolve Authorizing the State Normal School and Teachers' College Board to Convey Certain Land in Fort Kent (H. P. 1955) (L. D. 1328)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed to be engrossed and sent to the Senate.

Amended Bill and Resolves

Bill "An Act Relating to the Caribou Municipal Court" (S. P. 464) (L. D. 919)

Resolve Providing for Certain Construction at the Northern Maine Sanatorium (S. P. 285) (L. D. 486)

Resolve Proposing an Amendment to the Constitution to Set Forth the Duty of the State and the Towns Towards Education (H. P. 1572) (L. D. 886)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolves read the second time, all passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

At this point, Speaker Haskell resumed the Chair, and Mr. Palmer was escorted to his seat on the floor of the House, amid the applause of the Members.

Finally Passed Constitutional Amendment

Resolve Proposing an Amendment to the Constitution to Change the Date of Filing Initiated Legislation (H. P. 1568) (L. D. 874)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. One hundred twenty-five voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Finally Passed Emergency Measure

Resolve in Favor of the Town of Kennebunk (H. P. 102) (L. D. 1377)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. One hundred twenty-seven voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act Relating to Sub-Jobber of Cigarettes and Tobacco Products (S. P. 238) (L. D. 352)

An Act Relative to Penalties for Beaver Trapping (S. P. 349) (L. D. 575)

An Act Relating to Insurance Agents and Brokers (S. P. 408) (L. D. 745)

An Act Relative to Regulating Hunting, Fishing and Trapping on Game Management Areas (S. P. 423) (L. D. 780)

An Act Relative to Transportation of Fish, Game and Fur-Bearing Animals by Airplane (H. P. 744) (L. D. 286)

An Act Relative to Bounty on Bears (H. P. 1261) (L. D. 662)

An Act Relating to Non-Resident and Alien Trapping Licenses (H. P. 1293) (L. D. 676)

An Act Relating to Tax Stamp Discounts in Cigarette and Tobacco Products Law (H. P. 1541) (L. D. 818)

An Act Relating to Night Hunting of Skunks and Raccoons (H. P. 1628) (L. D. 981)

An Act to Amend the Charter of the Portland Water District Relative to Time of Filing Nomination Papers (H. P. 1631) (L. D. 984)

An Act Relating to the Revocation of License on Conviction of Hunting While Intoxicated (H. P. 1773) (L. D. 1112)

An Act Relating to Election to Certain Town Offices (H. P. 1784) (L. D. 1123)

An Act Validating Certain Recorded Mortgage Discharges (H. P. 1832) (L. D. 1157)

An Act Relating to Discovery of Property of Deceased Persons (H. P. 1834) (L. D. 1159)

An Act Relating to Consent to Adoption of Children (H. P. 2008) (L. D. 1390)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Tabled

An Act Relating to the Right of Eminent Domain for Municipalities for Recreational Purposes (H. P. 1510) (L. D. 808)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and, on motion by Mr. Boulter of Stacyville, tabled pending passage to be enacted)

Finally Passed

Resolve Providing for Certain Construction at the Central Maine Sanatorium (S. P. 336) (L. D. 567)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

Tabled

Resolve to Establish Working Capital for Institutional Farms (S. P. 477) (L. D. 941)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Brown of Unity, tabled pending final passage)

Resolve Relating to Fishing in Rocky Pond and Johnson Pond in Knox County (H. P. 1045) (L. D. 462)

Resolve Closing Rocky Pond and Johnson Pond in Knox County to Ice Fishing (H. P. 1046) (L. D. 463)

Resolve Regulating Fishing in Royal River, in the County of Cumberland (H. P. 1397) (L. D. 729)

Passed to be Enacted

An Act Relating to the Salary of the County Attorney of York County (S. P. 266) (L. D. 396)

An Act Relating to Clerk Hire in the Office of Register of Deeds, Southern District, Aroostook County (S. P. 363) (L. D. 580)

An Act Relating to the Presque Isle Municipal Court (S. P. 465) (L. D. 918)

An Act Relative to Extending Hunting Season on Deer (S. P. 630) (L. D. 1385)

An Act Relating to Clerk Hire in the Office of Clerk of Courts in Kennebec County (H. P. 313) (L. D. 93)

An Act Relating to Annual Audits for Cities, Towns, Plantations, Village Corporations, Sewer Districts and School Districts (H. P. 1051) (L. D. 467)

An Act Relating to Salary of Register of Probate in Kennebec County (H. P. 1075) (L. D. 481)

An Act Relating to the Salary of the Sheriff of Lincoln County (H. P. 1196) (L. D. 590)

An Act Relating to the Salary of the Register of Probate of York County (H. P. 1531) (L. D. 862)

An Act Relating to the Houlton Municipal Court (H. P. 1533) (L. D. 864)

An Act Relating to Aid to the Blind (H. P. 1550) (L. D. 868)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Tabled

An Act Relating to Requisites for Old Age Assistance (H. P. 1552) (L. D. 870)

(Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, and on motion by Mr. Gates of Millinocket, tabled pending passage to be enacted)

An Act Relating to the Salary of the Recorder of the Waterville Municipal Court (H. P. 1663) (L. D. 971)

An Act Relating to Traffic Control Signals (H. P. 2011) (L. D. 1394)

An Act Relating to Procedure on Damages Caused by Location of Highways (H. P. 2012) (L. D. 1395)

Resolve Permitting Socony-Vacuum Oil Company, Incorporated, to Lay a Pipeline Across Property of the State School for Girls in Hallowell and Property of the Augusta State Hospital in Augusta (S. P. 216) (L. D. 278)

Resolve in Favor of the Town of East Millinocket (S. P. 258) (L. D. 1386)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Placed on Special Calendar

Resolve in Favor of State Military Defense Commission (H. P. 812) (L. D. 309)

At the request of Mr. Jacobs of Auburn, a member of the Committee on Appropriations and Financial Affairs, this item was placed on the Special Calendar.

Orders of The Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the unfinished business of yesterday, being House Report "Ought to pass" of the Committee on Taxation on Bill "An Act Relating to Road Tax on Motor Carriers" (H. P. 318) (L. D. 98) tabled on March 29th by the gentleman from Sebago, Mr. Fitch, pending acceptance of the report.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

On motion by Mr. Dennett, the report, with accompanying papers, was tabled pending acceptance of committee report.

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Divided Report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax to Raise Additional Revenue" (H. P. 1855) (L. D. 1204) Report A being "Ought to pass" as amended by Committee Amendment "A" and Report B, "Ought not to pass", tabled on March 30th by the gentleman from Cape Elizabeth, Mr. Chase, pending the motion of the same gentleman that the House accept Report A.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, my hope is that sometime today, after the fullest free discussion upon my motion to accept the "Ought to pass" report, we may vote on this issue of sales tax or no sales tax, according to our individual convictions and views.

Now the question seems to be that each member should ask himself or herself: Are you willing to enact a sales tax which relieves the cities and towns of burdens of the State property tax, and which, in its final form meets with your approval and which provides funds to finance State expenditures which a majority of this House finds to be necessary and desirable? If you are, this bill should move along expeditiously to the Senate, bearing such amendment as this House may adopt tomorrow. Now after that happens, I am assured that these appropriation measures will be brought to the floor of this House for full discussion in order that they may meet the test of the majority approval. When this is done, every member will have a chance to be specific on measures which he thinks ought to be killed or where the regular budget should be cut. When this is done, we shall know the State's needs for money, and we can make the tax measure in its final form conform to that need, either by changing the rate or by giving the Governor and Council the right to reduce the rate

if more money is coming in than is required, or possibly by exemption.

Now the argument of some seems to turn on the issue of which comes first. Under parliamentary procedure, we can act only upon one measure at a time, and it is, of course, for this very reason that these bills come back to us, eventually, in final form for enactment. Does the money come first or does the need come first? Now those who say that the demonstration of the need comes first immediately encounter the objects of those who refuse to appropriate money until they know that there is money, and those who say that the money comes first are in the same predicament because they don't know, in the early stages, just how much money it requires to meet the appropriation. But obviously one or the other has to come first, and in the procedure which is outlined here it should be clearly understood that, when you finally vote on this measure, everything then will be assembled so that you will have a complete picture.

We have our individual estimates of needs at the present time. I can only express my own opinion which must necessarily in part be based upon a guess at those measures which I think a majority of the House may approve when they have an opportunity. Others can make their own guesses, but my guess is that this sales tax will produce somewhere around \$9,000,000 in revenue, or that it should be so patterned that it will produce that amount. Now, with \$9,000,000 a year in new revenue, there would be \$5,000,000 to be deducted for lifting the State property tax. It takes, roughly, \$2,000,000 a year more to meet the estimate of the Committee on Appropriations.

There are other measures which are very strongly supported, so that I am guessing at about \$9,000,000 as the need, but we can only finally determine the need after we have acted on this measure in its preliminary stages, and then come to the appropriation measures them-

selves, which I am assured will be the next business in order, as rapidly as they can be brought before us.

Now I will leave to others the arguments for and against the sales tax. My interest in this matter is to expedite this critical decision. We cannot do much of anything else until we decide this matter one way or the other.

Mr. Speaker, when the vote is taken on this motion, I ask that it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. McGlaulin.

Mr. McGLAULIN: Mr. Speaker, and Ladies and Gentlemen of this House: I am one of those who is convinced that the time has come for us to have the State leave off the real estate tax of seven and a quarter mills. This is the first Legislature that has had the courage to seriously consider this matter, and this Legislature, I am convinced, is able, if it sees fit, to put that measure through. The reason why I consider that necessary is that the towns and cities of this State—many of them at least—are in need of new revenues to carry on their municipal affairs. The towns and cities are limited in their avenues of taxation, but if the State takes off that seven and a quarter mills from real estate, it enables the cities and towns to use it and the taxes to the individual would be no higher than before.

Take as an example: The city of Portland has many difficult financial problems to solve. They are in need of new sources of revenue. If this measure could go through, Portland would get in the neighborhood of \$630,000 to \$650,000 more available for their purposes and need, and they could get along, I understand, very well if that could be done.

I am also one of those who is convinced that the State of Maine, at this time, needs additional funds to meet the problems of our times. I feel that we should take care of our hospitals, and of our old age

people, that we should provide for adequate pay for our school teachers, and that we should meet the necessities that inevitably arise, such, for instance, as helping the towns who were burned out a year ago and need temporary assistance.

Now being convinced that these two things are desirable, first, to take the State of Maine out of the real estate tax business, and second, to raise sufficient funds to meet the needs of today, I am satisfied that we need new taxes. I am further satisfied that the best, the most likely tax to go through at this time, is the sales tax. I think that perhaps that is the only tax that can be put through, judging by a recent vote in a caucus held in this room. I think that the sentiment against the sales tax has considerably changed in the last twelve years. I was in this House in 1937, when we passed a sales tax. That went to the people and the people voted against it. I have in mind one very prominent leader from Portland against the sales tax, in fact I think the most prominent leader in that city, who has told me this winter in this House that he now favors a sales tax. I have had plenty of letters from taxpayers in my section of the state who have urged the passage of the sales tax as it would help to solve such problems as to provide extra pay to teachers so that I feel that the tax that is most likely to pass the Legislature and to be approved by the people afterwards is the sales tax.

I, myself, am very much opposed to that sales tax going to the people by referendum. This is our job; we were sent up here to do this job, it is our responsibility, and I am not in favor of shirking my responsibility and tossing it off on the people. If, after we get through and have given our best judgment on the matter, if the public can get 23,000 or so votes that are necessary to get a referendum, they have that privilege and that right. But, I still feel that even if this comes to a referendum, when the

various towns realize how much this means to them to get the benefit of what has heretofore been the State real estate tax, they certainly are voting for their own interests who vote to uphold the measure if we pass it here this session.

I also feel that every school teacher who is interested in getting adequate pay for his or her services should support the action that we may take here. Citizens of this State who are interested in good government should support this measure. It will be opposed by men and women who do not know our problems and who care but little for their solution, but we have a responsibility; we have a duty to perform. I want to call your attention to this fact: That I say—and I fully believe—that it takes vastly more courage to vote for a tax than it does to vote against one. Why? Because you are on the popular side when you say: "I won't vote for a tax." It is easier to do nothing than it is to do something, but it is vastly more satisfactory to do something than it is to do nothing. It is easier to sit in the sunshine than it is to climb a mountain, but there is a tremendous thrill of satisfaction in feeling that you have overcome a mountain. A live trout can swim upstream, but a dead one can float down.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker and Members of the House: I came to this Legislature on a platform of no new taxes and a pay-as-you-go program and I still stand on that platform. Whether it is easier for those who are in this Legislature to go along in the sunshine or to climb a mountain, I leave that for you to say. But, I believe when we place a sales tax upon the people of Maine that creates a mountain and I believe the people of Maine are not ready at this time to have a sales tax placed upon them under the economic conditions of our State and our nation. I am on the Appropriations Committee and have

been for four terms. I realize the problems confronting the State financially. I believe the income of the State is underestimated. I believe we will have more money to spend when the true valuation is made. I want to see every needy thing done, and met financially, and I believe we have the funds to meet the needs, the real necessities to take care of the State of Maine's finances.

Look all around us, if you please, this very day; today and then two years ago; the situation economically is vastly different than it was then. Thousands of our citizens of Maine, today, are walking the streets, unemployed and do we here in Maine, in this legislature assembled, do we want to tax these people, place upon their shoulders the immense responsibility of a financial kind, more than they can truly bear? I don't believe so.

Speaking of the State's property tax, I pay a tax, a real estate tax, and I am proud to do so. I am proud to be one of the Maine citizens who has property to tax and I am willing to pay that seven and a quarter mill tax, not only today but tomorrow and as long as I own it and I honestly believe, without fear of contradiction, that any man or woman who owns property in the State of Maine should be taxed according to its worth. If this property tax is done away with, it will save me money, probably \$150 to \$200, but I am willing to pay that tax and I believe every farmer, every business man in this State, is willing to pay a tax according to what his property is worth, his real estate, and I don't believe in shifting it upon the shoulders of the working man who is working for a wage and has a family and have him pay a part of my tax. I don't believe it is right.

The sales tax, itself, it is true, is the best tax which has been advanced in this House at this present time, but I want to go on record as standing against any tax—any sales tax, any other tax, that is going to burden the already burdened tax-

payers of Maine, and I want you to clearly understand where I stand. I believe that there is income in the State of Maine sufficient to take care of the needs of the State of Maine. Go outside of our borders and you will find that in the newspapers and over the radios hundreds of institutions, business houses, factories, are going out of business.

Yesterday, in Woonsocket, Rhode Island, a factory that has stood there for 153 years, employing 650 people, is closing its doors this week forever. Does that mean anything? Roger Babson, one of the greatest statisticians of this country, says we are in a recession and we will be, in his opinion, until 1953. Does that mean anything? We are on the downward trend financially. My business in Auburn is suffering in consequence and I don't believe any business man in this House or in the State of Maine can say that his business is on a par with the last year or two years ago. We are on the downward trend and let us, as we go along in this House, cut the garment according to the cloth and I believe we will go home and tell our constituents we have done the best we could and have saved them extra taxes and that is where I stand.

The SPEAKER: The question before the House is upon the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept Report A being the "Ought to pass" as amended by Committee Amendment "A" report of the committee.

The Chair recognizes the gentleman from Baileyville, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I have been a member of the State Legislature for the past two sessions. I believe that I understand the problems confronting the State of Maine at this time as well as the ordinary member of this House. For the past six years, I have been covering the State of Maine from one end to the other, which does give me a fair idea of what is going on in the State of Maine and what this good old State of Maine can stand. If I

remember my history right, it told me that Nero fiddled while Rome burned and I hope the members of this Legislature do not sit around and fiddle while the greatest monstrosity that was ever devised is being levied on them at this time.

Two years ago, in this same Legislature, the same pressure groups that are working in this Legislature, tried to sell us the same bill of goods. We were told at that time that unless we passed a sales tax that the State could not finance the departments and agencies. I believe we killed that bill twice and then, on the very last of the session, when they thought enough of us so-called conservatives had gone home, they tried to resurrect it and shove it by again. It was not passed. And, even when we adjourned, we were told that before two months we would be called back into session to pass added revenue measures to save the State of Maine. You people all know the story. You are intelligent citizens of the State of Maine. You know that things were handled very capably during the past two years. I do not know of too many people in the State of Maine who suffered for the want of services the State is supposed to grant and I think that when we came into this session of the Legislature we were told by our outgoing Governor that our State's finances were in a pretty solid condition. In fact, we were told that there was six million dollars in our general fund surplus at the time we convened here.

I realize, at the present time, maybe, there are a few demands that should be met by the State of Maine, but I believe that when our present financial structure is analyzed and I believe when our new Governor is given the opportunity to administer the finances of the State of Maine and put into practice certain economies, which he certainly will do, that the State of Maine can live within the income that will be derived from our present tax structure. Now, the same policy is building up in this session as was built up in the past

session to pile up all of these appropriations and build up the need for these appropriations until the very last session of this Legislature or until the time when the bulk of the boys feel they must get back home and gradually, one by one, dump them on us. It is the same old pressure game that is worked all the time.

I followed politics a little in my day and I can recognize what is taking place right in this House at the present time. They are trying to sugar-coat, if I may use those words, this bill so that they can cram it down our throats, thinking that we will not dare to vote against it because of the action the people will take when we get back home. I am one who is going to stand up here and debate the question and I am going to vote against this question because I am firmly convinced that the people back home, regardless of how much it is sugar-coated, do not want such a measure enacted in the State of Maine at the present time.

Where are all these legislators who have been in this House for years and at a time when our State was prosperous and who sat idly by and did not straighten out the tax structure when everybody in the State of Maine had plenty of money so they could bear that load? We have been passing through in this State, like the rest of our Nation, the period of greatest prosperity our State or Nation ever saw. But nothing was done at that time. Now, the tables have been turned, as my good neighbor, Mr. Jacobs, pointed out to you. Industry is facing a period when they don't know whether they can survive or not. We see the South offering every attraction possible to entice our industries into that area. Believe me, they have a lot to offer to entice the people from home to that area. We even see the Island of Puerto Rico offering enticements to industry to move to that area, tax free.

Now, are we going, here in the State of Maine, to levy additional burdens on our industries and on our people to drive them out? What

we should be doing at the present time is to offer every inducement possible to encourage new industry to move into this beloved State of ours.

Now the story has been told here that the property tax people of the State are crying for this sales tax to be enacted so that they will get some benefit and that the property tax will be lifted from their shoulders. In the hearings that I have attended on this tax measure, I haven't seen any of the larger property holders in this State appear and cry that this burden should be lifted. Some of our largest companies have tremendous holdings in this State and pay a large tax. Did you see them up here in support of the sales tax? No. And they won't appear. They recognize their burden and they are willing to face it. In this Legislature, we have given some added relief to the people on our old age assistance rolls and now we would go to work and enact a sales tax that would take from them, by tax legislation, the benefits that we have just given them. I don't think, members, that we should do that thing.

Yesterday, when the first discussion started in this House on the ways that this bill should be brought in and the ways that it should be greased so that it would slide through the House—in all my experience in the Legislature, I never heard a set of commandments set up so beautifully as was done yesterday. In fact, they dictated to us just what moves we should make. I don't think the members of this Legislature are going to fall in line for this type of thing.

Last week, I had occasion to visit a state where they have a sales tax and have had it for a considerable length of time, and I thought they would tell me the story there that all their financial worries were over with, that everybody was happy and that they loved the sales tax. But that isn't the story. They haven't been relieved of their property taxes out there. In fact, their

property taxes have been raised. No one is satisfied; it hasn't cured their financial ills. In their legislature, at the present time, they are faced with the same financial difficulties as we are here in the State of Maine.

I talked with a man last night from another state where they had the sales tax for three years. I asked: "Has your property tax in your state been less?" He said: "No, in fact two years ago the tax on my property went up \$40 and this last year it went up \$60."

Let's not be misled by this beautiful frosting that has been placed on this bill. Let's defeat the sales tax for the one reason that once the sales tax is levied on the people of the State of Maine, regardless of what tax applies afterwards, your sales tax never will come off. It will not be reduced as it has been pointed out to you this morning, because they will always find ways and means of spending that money. Now, members, let us analyze the situation in this House. Let us debate this question if it takes us until next July and let us decide on what is going to be the best for the State of Maine. Let us think of the people in the State of Maine who are walking the streets, today, without a job. It is hard enough for them to get the necessities of life without trying to pay a sales tax on every item that they buy.

I think that when this question is finally decided the answer will be: No.

One other thing I just happened to think of. Two years ago, the idea was: Let's let the Legislature assume the responsibility and pass this legislation without a referendum.

Now, in order to get it by they are telling us: Let us do our duty here and then let the people have the final say. I am in the same position that I was two years ago, to defeat this measure right here in this Legislature, save the expense of a referendum, save the people the trouble of going to the polls and defeating it. Remember, let's save the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker and Members of the House: We have reached a crisis, in my opinion, in this session. We are asked to put the sales tax on the people. As some of the former speakers have said, let us vote according to our conscience. That is the way I am going to vote.

The gentleman from Auburn, Mr. Jacobs, told us about the unemployed. There are already 38,000 in this old State of Maine that are unemployed, pacing the highways, looking for a job, and it is proposed to levy a tax on those fellows who have not money enough to buy sufficient food for their families. They tell us there is a depression on; they give it a highfaluting, high-cocked-hat name of a recession; they do not like to have it called a depression. Well, we all know that credit is being withdrawn, money is being taken out of circulation, purchasing power is denied the people, and without money you haven't any purchasing power and without purchasing power goods rot on the shelves. There is no overproduction but there is an underconsumption, and without money circulating among the people, they cannot buy the goods. There are thousands of people in the State of Maine that are eating cow potatoes and who cannot eat No. 1 potatoes. No; they throw them into the river; dump them into the orchards, as you are going to the last of this season, because the people have not any money to buy them. Do you want to put a sales tax on that crowd? Preposterous! Here we are fighting over an old bone that we have been fighting over for years, and we are not getting anywhere.

I met a friend down on Water St. the other day. He said, "Mr. Bubar?" I says, "I suppose." He says, "Are you a member of the Legislature?" I says, "No, I am not." "I thought you were a member of the Legislature," says he. "No," I says, "I am a mem-

ber of the War Department." (Laughter)

That is what it amounts to. It is the same old thing and the same old issue that the people have defeated, and yet we want to load it onto them again. They have given their verdict, they have said they do not want it and they have defeated it, and they will defeat it again. What does a physician do if he gives a potion to a patient and it nauseates him and makes him sicker? He changes the medicine, or else he calls in the undertaker. He does one of the other. But here we are trying to put the same old dose down the people of Maine. You try it again and they will spew it up again. What is the sense? Why not try something new?

Here we are, riding this old spavin-boned, wooden-legged horse around again, trying to win the race. We have tried it twice and have been beaten. Just grow up, will you, and not try it again. Get a new horse if you want some new taxes.

Now I am not trying to be a goody-goody. I do not claim I am always right. I am wrong lots of times, and I have made a lot of mistakes, and I am sorry, but in this I believe I am right: That the people of Maine do not want a sales tax and they will defeat it in spite of anything that you can do.

Now then, I know I am in favor of doing something for the old people. Well, they say we must have new taxes to do it. Today there is seven million dollars that ought to go to the old people that has been turned over to other departments, figuring in the federal grants. If we had that they would get along nicely; I would not have letters pouring in to me from men and women, begging and crying for something to eat. Here we are, and they want to put a sales tax on that crowd, the under-privileged, the dependent children, the blind and the old men and old women who built the houses we live in. How many of you fellows built the house you live in? The old taxpayers built these houses and we have taken

them over, we have kicked them out and thrown them to the dogs. You know it and I know it.

Now are we going to put a sales tax on the old men and women who are crying for bread? They are not in here lobbying. The poor cannot come in here. The men that are looking for jobs cannot come in here and lobby, but the fellows that want the sales tax, the gallery is full of them here, and you cannot walk down the corridor without some fellow grabbing you who wants to put on the sales tax. Why? Because it is going to take the coppers out of the hands of the poor and under privileged. I cannot vote for a thing like that and go back and face my people. I have to live with myself; I have to meet those men and women on the street. You members have told me that when I get to talking about the old people I am long-winded. I may be, but if I should vote this sales tax on men and women who are hungry and who are looking for a job I would be so short-winded I could not get out of this House, and I do not want to do it. I could not sleep tonight; I would be riding around all night on an old razor-backed nightmare. There would not be any saddle on her either. I for one am not going to do it.

They tell us there is a depression on, and they call it by the high-sounding name of a recession. Well, I know when the last depression was on that I myself opened up a soup-house in the great Aroostook County and I continued it from January until April, and I fed as high as a thousand people in a week. Is the same thing going to happen again? They tell us so. Do you want to load a sales tax on that crowd? I am not going to do it. I want to look men in the face, these men that are hungry.

There have been only two people in here lobbying for the aged, and one of them was eighty-four and the other eighty-two. They came to me, and one said, "In God's name I am hungry." Are you going to put a sales tax on that man? Nev-

er! But that is what the big shots want to do. They talk about climbing a mountain. I would like to ask the honorable and venerable gentleman who is always fighting for the Constitution, I would like to ask him: How are they going to climb the mountain without any bread in their stomachs? They cannot do it. I am not going to tax their bare feet and their empty stomachs. I am not going to do it.

I do know this: That in the Republican platform you will find it says that we are going to do something for the old people and the poor. It is there; you can read it. I was elected on it. But that was just before election, and most of us took the ground that the little boy takes just before Christmas-time: he is as good as he can be; but, after Christmas, away he goes again. And so now, since we have been elected and have the presents, we are not quite so good to the old people.

I know that this affects me. I have more than a thousand letters in my possession that anyone can read, letters from old people that are crying out for bread and we are hurling them a stone. This sales tax is another one.

Members, in God's name, let us not disgrace the State of Maine by starving the old men and old women who built our homes and who paid for my education and yours! Let us not put a greater burden on them by a sales tax.

Notice how smoothly the thing is worded. It says, "Anything up to twenty-four cents is exempt." Well, you cannot buy anything for twenty-four cents. All your food packages come to twenty-five cent packages. That is a cunning little thing, but it is there, and the bill is full of a lot more things.

I am going to tell you that the farmers of Aroostook County do not want a sales tax to eliminate the property tax. I have been a Granger since I was nineteen, and I got a little behind in my dues and they wrote me about it, and it was reported to me that the Mountain Grange was for the sales tax one

hundred per cent, and I wrote the secretary, and I said, "I understand you are for the sales tax one hundred per cent. If you are, please return my check, otherwise you may keep it, because I do not want to be a member any longer."

But the thing here is that they are not in favor of a sales tax. I do not care who says they are in favor of it; I say they are against it. And I, like the little boy, am "agin" it.

I hope and pray that this thing is defeated here and now. Thank you, members.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: I am afraid my voice is not powerful enough to compete, but I have heard various estimates during this session as to the effect of different forms of taxation. There is one question I have not heard answered: If a man is out of work, roaming the streets and dependent on charity and has no money, how much is he going to pay under a sales tax? (Laughter)

Mr. BUBAR: Mr. Speaker, shall I answer the question?

The SPEAKER: The gentleman man answer if he cares to.

Mr. BUBAR: Mr. Speaker, he is not going to pay anything; he is going to starve to death. (Applause)

The SPEAKER: The House will be in order.

The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: To my mind the question before the House this morning is this: Shall the State of Maine broaden its tax structure? For years, the State of Maine has derived considerable of its income from the property tax field. The towns and cities of this State have been continually required to increase their expenses due to the dictates of state law. At the same time, the State has not given them other avenues from which to meet these additional expenses. The question this morning is whether

or not you want to have a sales tax to accomplish this purpose. I truly believe that every man and woman in this Legislature is economy minded. I do not believe that this Legislature wants the State of Maine to embark on a spending spree. I think we should scrutinize every appropriation bill and cut each appropriation to the bone. But, I do think the time has come when we should equalize our tax load, and that the sale tax is the fairest and best tax to accomplish this purpose.

The SPEAKER: The question before the House is upon the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept Report A of the committee, being "Ought to pass" as amended by Committee Amendment "A".

The Chair recognizes the gentleman from Palmyra, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Members of the House: I rise in favor of this sales tax and I would like to point out to the members of this House that during the last depression in these towns we had a great many of these people they are talking about, that we had to take care of. People that had the property tax had to get a living for themselves and provide for those people who were unemployed. And there were people that had very little income from their farms, they had hard work to pay their taxes and in a good many instances the property had an attachment on it for taxes.

Now, I maintain that this sales tax is a fair tax. A man will pay according to his income and, in so doing, we will relieve the property owners of some of the burden. I maintain that if there is a depression on the way, as we are told, that that is a good argument for this tax and that nobody will be hurt by this tax from the fact that they have no money in their pocket. If they have no money to spend, they won't pay any of the tax.

I served my community as a selectman during that depression and I realize what it means to the property owners. They pay their

tax whether they have any income or not. They are taxed just the same and, if they haven't any income, that tax is taken out of their property. Now, I am no bigwig nor am I influenced by anybody. I believe that this tax problem should be settled in this Legislature and I believe that the majority of the people are in favor of a revision of our tax system and I believe that I can go back to my communities and face the people and tell them the story and that the majority of them are fair-minded enough to listen to reason. I don't believe any of us have anything to fear and, as far as labor is concerned or the laboring man that has no property, I say that he demands the same services from this State in good government as the property owners, and I believe that it is his duty to contribute to that government. Now, a lot of this money that is going to be demanded here is for aid to needy and education. I would like to ask you members who this is going to benefit most. I say it will benefit those aged people, the dependent children and a good many laborers with large families to educate and I see no reason why labor should not pay their fair share of good government. It won't be any great burden on them if a man earns \$40 a week and expends it all at retail, he will only pay 80 cents for that week and the property owners who are in business pay even when their business is losing money. I think that is something we should remember.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker and Members of the House: I am putting the State in my own position and the position of my constituents. I would like a lot of things that I cannot afford. I believe that the State is in a like position, that is, it cannot afford some of these things that we are told are necessary. I will concede that there are some additional services necessary, but I believe we should rearrange our present revenues so

that these can be taken care of, and cut out some that are not as necessary.

Just as an example: In the Department of Health and Welfare, they are renting twenty-nine offices in the city of Portland for forty-one employees. These employees are, for the most part, field workers who occupy their office not more than one-half day per week. I believe these offices could be consolidated to even seven, with six desks in an office.

Also, I believe that there will be a possible increase in the anticipated revenues. For example: In the Insurance Department, I believe there will be \$200,000 additional revenue for the general fund. This will be occasioned because of the increase in liability premiums, and the State collects on a percentage basis.

Now it sounds all right to bait us with the doing away of the property tax, but this sales tax is going to come from the people in the same towns. The cost of collection will be greater, so our people will definitely not get as much for each dollar taken from them.

We turn now to the two percent levy.

When will it stop, five, six, seven or ten?

Who knows?

A few weeks ago I heard our Majority Floor Leader, in speaking on the change of election date bill, refer to it as a skunk and suggest that rather than let the Upper Branch kill our skunks, we should do that ourselves. Now, if that was considered a skunk, I believe it was just a baby one compared to this one, and I believe we should kill this big skunk now and for all.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Thompson.

Mr. THOMPSON: Mr. Speaker, speaking about the tax on the property owners, I consider the man who pays rent in one home I own in Brewer, is one of the biggest property owners we have in our city. Now as for the banks—take

the last six months, the mutual savings banks and all the banks over the State have told people—I have letters showing that the people have been drawing their accounts down to \$2, \$4 or \$5, in order to live and I think, today, the time has come when we should see what we can do to head off this depression which is right ahead of us.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept Report A of the Committee, being "Ought to pass" as amended by Committee Amendment "A".

The Chair recognizes the gentleman from Waterville, Mr. Muskie.

Mr. MUSKIE: Mr. Speaker and Members of the House: In view of the time that this matter has been debated already and in view of the lateness of the hour, I am going to try to be brief. I wish to say first that it has been a pleasure to attend this caucus. (Laughter)

We have attempted from time to time to influence the thinking of the majority party. Our efforts have been rebuffed, and so on this question we have sat back with interest and watched your struggle with this very vital problem. And this morning I have sat here listening, not presuming in any way to try to throw what little weight we have on one side or the other of this question. It has been a pleasure to hear plain talk, and I am going to try to give you a little more of the same.

I think, if we are realistic, we will come to this conclusion among others: That the State could use more money; but, in reaching that conclusion, we must not forget that that new money can only come from thousands of our people who themselves can also use more money. These new state funds which we seek to create do not come out of a vacuum, they do not come from some painless source; they come from the pocketbooks of our hard-working citizens throughout the State; and I think I can say that

our people work as hard, if not harder, for their dollars than any other people in the country.

I would like to say something about the growth of state spending in the last two years. I think we should bear that in mind when we are considering the possibility of expanding that spending.

It is a matter of record that in our Highway Department the State's spending in the last six years has increased about one hundred per cent. It is also a matter of record that state spending out of the general fund has increased over sixty per cent in the last six years. It is a matter of record that the estimated revenue for the next two years is five million dollars in excess of what has been spent in the State out of the general fund in the last two years. Now those are facts which I take from the records of our State. I have not manufactured them, I have given them to you because I think you should consider them seriously before you consider adding additional spending.

Now it strikes me that when there has been such a growth of spending in such a short time we can prove with validity that there is room for economy.

It was my privilege last fall to serve on the Legislative Advisory Committee on the Budget. I served with several members of this House, with the Governor, with the State Finance Officer and others. It was my privilege to listen to the stories of the heads of our different State departments.

I left those meetings with the feeling that our present Governor is very much interested in overhauling the administration of our State departments. He is very much interested in tightening up the administration of the State's affairs. I, for one, am interested in learning what can be done along those lines, and I have a feeling that, however well-intentioned the attempt will be, it will not be as strong an attempt if we do not lift the ceiling on State's revenue. It is much easier to economize when you have to then when you have new money

coming into your pocket. We know that from our personal experience.

It is said that we need a broader tax base. What is meant by a broader tax base? It is meant that we should have a means of separating our citizens from even more of their money.

As a lawyer, from January 1st of each year until March 15th of each year, it is my task to make out income tax returns of many of our citizens. I make them out for barbers, for laborers, for businessmen, for business executives. In the course of that work I learn something of the taxes of others and the income taxes that all of those people pay. And let me tell you that, contrary to the impression that some may try to give you, there are none of our people who do not bear a very heavy share of the country's tax burden.

It is suggested that the State should get out of the property tax field because that section of our population bears an unfair burden. If this sales tax is enacted, the burden that these people bear will not be lightened one iota. It will be increased by us so much as this sales tax will add to that burden.

We have been told this morning that it is easier to oppose a tax than it is to support it, and we are told it is easier because that is the popular way to vote. I agree that is the popular way to vote and that it is the way the great mass of our people expect us to vote in the light of the economic condition which they are facing. It is not that they would not like to pay our old people more; it is not that they would not like to furnish better services for some of our unfortunate people; it is not that they would not like to pay our teachers more; it is not that they would not like to provide better schools for our children. They feel that way simply because they have reached the end of their rope so far as new taxes are concerned.

I am not going to say too much with regards to the merits or demerits of this particular tax measure, the sale tax, because a lot has

been said already; but I would like to point out just two things with regard to it. Now I am no tax expert, but you know in addition to the tax burden this tax is going to impose some other burdens, particularly upon our small businesses. If you will look at Section 263, you will find this: "Every person desiring to engage in or conduct business as a seller within this state shall file with the state tax assessor a certificate of registration in a form prescribed by the state tax assessor." Now there is more red tape, more forms, more bureaucratic regulation that a new business must go through before it can start.

I point out another section—and my comments on this act are not in any way comprehensive, but I am just pointing out these few items. Under this act, if a sale of personal property is not a sale at retail, that is if it is a sale for wholesale or other purposes than retail sale, it is not covered by the act, but, mind you, if any person in business in this State undertakes a sale it is his burden to prove that it is not a sale at retail. He has to obtain a certificate from the purchaser with such information as the State Tax Assessor requires to prove that it was not a sale at retail. There is more red tape, not only for new business but for existing business.

I have a word to say in regard to those businesses in the state with adjoining borders on neighboring states and provinces. You will wonder, before this reaches final enactment stage, if it gets that far, whether or not mail order businesses are covered, and you will wonder whether or not our citizens are protected from sales outside of our borders. Now there is this language in the bill: "The delivery in this state of tangible personal property by an owner or former owner thereof or by a factor, if the delivery is to a consumer pursuant to a retail sale made by a retailer not engaged in business in this state, is a retail sale in this state by the person making the delivery."

Now I am not sure in my mind

whether a sale which is made pursuant to an order written in this State but sent to an outside mail order house, whether or not that is such a sale as would be covered by the act. I am not saying it is not, but I would like to have that question answered. If it is not such a sale, then we would of course have competition of mail order houses with our own businesses increase to the disadvantage of our own people.

Now there is nothing in this to prevent our citizens along the borders from crossing those borders to make purchases of big items where the tax saving would be substantial—and I refer particularly to automobiles, electrical appliances and similar businesses. You may say a two per cent tax is not much, but on items of that size it is substantial and worth a trip over the border to a great many of our people.

One other thing I would like to say, and that is this. If we pass this sales tax we are doing a futile thing. If we go through the procedure which was outlined yesterday morning and this morning, we are going to consume from one to two weeks of time without any substantial conclusion so far as taxation is concerned. We might just as well make up our minds to that now. Unless a sales tax is passed as an emergency, I am convinced it will be brought before the people either through referendum of their own choosing or a referendum tacked onto the bill by us, and I doubt if there are ten per cent of the members of this House who believe that the sales tax could survive such a referendum, no matter how much it is prettied up with bait.

And so, in conclusion, I say that as leader of the Minority Party in this House and as a representative of the Democratic Party whose platform unqualifiedly opposes a sales tax, that I stand this morning in opposition to this tax.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, in view of the committee hearings at 1:30,

I move that the House now recess until 4:30 this afternoon.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House do now recess until 4:30 o'clock this afternoon.

As many as are in favor of the motion of the gentleman will say aye; those opposed no.

A viva voce vote being taken, the motion to recess did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker and Representatives of the People: My position on the tax question is well-known to both the members of the Legislature and my constituents. My constituents' position on the tax question is well-known to me, because I have taken the trouble to find out how they feel. They are, as I am, absolutely and finally opposed to any new taxes because they know and I know that economy and not taxes will best serve the interests of the people of this State. The trouble is that too many people with special interests at heart mix these two words up. I mean economy and taxes. If you do not believe me, just let me read you a representative letter from the selectmen of the town of Phippsburg. This letter puts in one sentence the eloquence of any oration I might make for hours, and I can assure you that it fully represents the great majority of the people I was sent here to represent.

"Offices of Selectmen, Assessors and Overseers of Poor. Town of Phippsburg, March 28, 1949.

"To J. Horace McClure:

We heartily endorse your stand and that of the economy group who are fighting any increase in taxes at this time.

(Signed)

Mark W. Harrington

James L. Morse

Raymond M. McIntire
Selectmen."

And, furthermore, if you think I am only representing the poor people of this State, let me read to you from a letter from a business man and a banker:

"John G. Morse & Sons, Lumber and Building Material, Bath, Maine, Mill at Winnegance.

"March 29, 1949

"Hon. J. Horace McClure,
State House, Augusta, Maine.
Dear Mr. McClure:

This is the first time during my business career as a lumberman, and banker, that I have written a letter such as this, to either a legislator or a congressman, and I would not be writing now except the gravity of the situation impels me to do so.

We wish to go on record as being opposed to the adoption of any of the proposed methods of obtaining more money from the taxpayers. It is my firm conviction that it would be a very untimely measure, as the business situation, unemployment, inflation and actual inability to pay any additional taxes will be prolonged by such action.

Sincerely yours,

John G. Morse."

In closing, I might say that we have heard from people in all walks of life this morning. I would like to read you a few remarks from a poet. This poem is written by a man who is well-known for his stand on economy in past legislatures, the Hon. "Cliff" Chase. He delivered this poem on April 5, 1939. It speaks for itself:

"If we would prune departments
and commissions,
We couldn't do a thing that seems
less rash,
The people back home would
welcome the omissions
And we'd save the State of Maine
a lot of cash.
If we would not defend the things
defenseless
And put a razor edge upon the
axe,
If we would kill the things we
know are senseless
We wouldn't hunt for anything to
tax."

Ladies and gentlemen, the case of the people rests with you.

The SPEAKER: The Chair would like to state at this time that there are seven publicly advertised com-

mittee hearings this afternoon and several of them are scheduled to start at 1.30, and this House absolutely cannot be in session at any time during a public hearing; also that no committee can hold a hearing when either branch of the Legislature is in session.

The Chair recognizes the gentleman from Sanford, Mr. Gauthier.

Mr. GAUTHIER: Mr. Speaker and Members of the House: Having received a telegram from the Sanford Merchants Association who are very much against this tax, I rise in opposition to the tax.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: Having listened to the remarks of the Speaker relative to committee hearings this afternoon, I would like to move now that the House recess until 4:30 this afternoon.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House do now recess until 4:30 o'clock this afternoon.

As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, a division of the House was had.

The SPEAKER: Fifty-four having voted in the affirmative and 82 in the negative, the motion does not prevail.

The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House accept Committee Report A, being "Ought to pass" as amended by Committee Amendment "A". The same gentleman has asked that when the vote is taken it be taken by the yeas and nays.

Is the House ready for the question?

(Cries of "Question," "Question.")

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, having requested the yea and nay vote, a yea and nay vote is in order at the desire of one-fifth of the members present. All those desiring the yea and nay vote will kindly rise and remain standing

until the monitors have made and returned the count.

A division of the House was had.

The **SPEAKER**: Obviously more than one-fifth of the members present having so requested, the yeas and nays are ordered.

The question before the House is upon the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the House do accept Report A of the committee, being "Ought to pass" as amended by Committee Amendment "A".

As many as are in favor of the motion will say aye; those opposed no, as their names are called.

The Clerk will call the roll.

ROLL CALL

YEA—Albee, Arthur, Bearce, Benn, Bennett, Bird, Boothby, Boulier, Brown, Robbinston; Brown, Unity; Brown, Wayne; Bucknam, Burgess, Limestone; Carter, Carville, Chapman, Chase, Chute, Clements, Cobb, Dow, Dudley, Dunham, Eastman, Fuller, Grant, Gray, Hall, Hayes, Hayward, Hill, Hobbs, Acton; Jennings, Johnston, Jones, Kent, Knapp, Lackee, Leavitt, Longstaff, Ludwig, Marble, Marsans, Martin, Frenchville; McGlaufflin, McKeen, Merritt, Millett, Paine, Palmer, Parker, Patterson, Payson, Philbrick, Plummer, Prince, Pullen, Ricker, Robbins, Roundy, Sanborn, Sharpe, Silsby, Spear, Stanley, Taylor, Tyler, Webber, White, Auburn; Williams, Auburn; Winchenpaw.

NAY — Ames, Atherton, Berry, Brown, Baileyville; Brown, Bangor; Brown, Durham; Bubar, Burgess, Rockland; Campbell, Augusta; Campbell, Garland; Campbell, Guilford; Carle, Castonguay, Chaples, Cole, Cook, Cormier, Cvr, Dennett, DeSantis, Dorsey, Dostie, Lewiston; Dostie, Winslow; Dufresne, Faas, Farley, Fay, Fitch, Foley, Gates, Gauthier, Gauvin, Gerrish, Hanson, House, Jacobs, Jalbert, Jamieson, Jewett, Johnson, Kelly, Labbe, Lacharite, Larrabee, Bath; Larrabee, Westbrook; Latno, Laughton, Lessard, Letourneau, Littlefield, Malenfant, Martin, Augusta; Martin, Eagle Lake; Maxell, Maxwell, McClure, McEnerv, McGown, Merrill, Muskie, Nadeau, O'Dell, Phillips, Sanderson, Sarzent, Spring, Stevens, St. Pierre, Thomas, Thompson, Brewer; Wight, Bangor; Williams, Toppaham; Woodworth, Wormwood.

ABSENT—Bates, Clapp, Duquette, Hobbs, So. Berwick; O'Connell.

Yes 71, No 74, Absent 5.

The **SPEAKER**: Seventy-one having voted in the affirmative and

seventy-four having voted in the negative, five being absent, the motion does not prevail.

Is it now the pleasure of the House to accept Report B of the committee "Ought not to pass"?

The motion prevailed and Report B "Ought not to pass" was accepted.

The **SPEAKER**: The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. **WOODWORTH**: Mr. Speaker, I ask unanimous consent to address the House, and I shall be brief.

The **SPEAKER**: The gentleman from Fairfield, Mr. Woodworth, requests unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. **WOODWORTH**: Mr. Speaker, the motion to adopt the sales tax has just been defeated by accepting the "Ought not to pass" report. Under the rules of the House only one motion to reconsider is permissible. I would like to bury that bill now. If a motion to reconsider is defeated I think we will all not be bothered by this bill again. I hope that everyone who voted against the sales tax will now vote against my motion in order that we may get rid of this bill. I hope no motion to delay the vote will be taken by the House.

Mr. Speaker, in the hope that my motion will be defeated, I move that the House do now reconsider its action in adopting the "Ought not to pass" report of the committee.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House reconsider its action just taken whereby it adopted the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. **McGLAUFFLIN**: Mr. Speaker, I make a prior motion that the House do now adjourn.

The **SPEAKER**: The gentleman from Portland, Mr. McGlaufflin,

moves that the House do now adjourn.

As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, a division of the House was had.

The SPEAKER: Sixty-one having voted in the affirmative and seventy-one having voted in the negative, the motion does not prevail.

The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House reconsider its action just taken whereby it accepted the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, I move that when the vote is taken on the motion of the gentleman from Fairfield (Mr. Woodworth) that it be taken by the yeas and nays.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that when the vote is taken on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House do now reconsider its action whereby it accepted the "Ought not to pass" report of the committee that it be taken by the yeas and nays. The yeas and nays vote is in order at the desire of one-fifth of the members present. All those desiring the yeas and nays vote will kindly rise, and the monitors will make and return the count.

Forty-two members having arisen, and forty-two being more than one-fifth of the members present, the yeas and nays are ordered.

The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House reconsider its action taken this morning whereby it accepted the "Ought not to pass" report of the committee.

All those in favor of the motion will say aye when their names are called; those opposed will say no.

The Clerk will call the roll.

ROLL CALL

YEA—Albee, Arthur, Bearce, Benn, Bennett, Bird, Boothby, Boullier, Brown, Robbinston; Brown, Unity;

Brown, Wayne; Burgess, Limestone; Campbell, Garland; Carter, Carville, Chapman, Chase, Chute, Clements, Cobb, Dow, Dudley, Dunham, Eastman, Fuller, Gates, Grant, Gray, Hall, Hayes, Hayward, Hill, Jennings, Johnston, Jones, Knapp, Lackee, Leavitt, Longstaff, Ludwig, Marsans, Martin, Frenchville; McGlauffin, Millett, Paine, Palmer, Parker, Patterson, Philbrick, Plummer, Prince, Pullen, Ricker, Robbins, Roundy, Sanborn, Sharpe, Silsby, Spear, Stanley, Taylor, Tyler, Webber, White, Auburn; Williams, Auburn; Winchenpaw.

NAY — Ames, Atherton, Berry, Brown, Baileyville; Brown, Bangor; Brown, Durham; Bubar, Bucknam, Burgess, Rockland; Campbell, Augusta; Campbell, Guilford; Carle, Castonguay, Charles, Cole, Cook, Cormier, Cyr, Dennett, DeSanctis, Dorsey, Dostie, Lewiston; Dostie, Winslow; Dufresne, Faas, Farley, Fay, Fitch, Foley, Gauthier, Gauvin, Gerrish, Hanson, Hobbs, Acton; House, Jacobs, Jalbert, Jamieson, Jewett, Johnson, Kelly, Kent, Labbe, Lacharite, Larrabee, Bath; Larrabee, Westbrook; Latno, Laughton, Lessard, Letourneau, Littlefield, Malenfant, Marble, Martin, Augusta; Martin, Eagle Lake; Maxwell, Maxwell, McClure, McEnery, McGown, Merrill, Merritt, Muskie, Nadeau, O'Dell, Payson, Phillips, Sanderson, Sargent, Spring, Stevens, St. Pierre, Thomas, Thompson, Brewer; Wight, Bangor; Williams, Topsham; Woodworth, Wormwood.

ABSENT—Bates, Clapp, Duquette, Hobbs, So. Berwick; McKeen, O'Connell.

Yes 66, No. 78, Absent 6.

The SPEAKER: Sixty-six having voted in the affirmative and seventy-eight having voted in the negative, six being absent, the motion to reconsider does not prevail.

Mr. McCLURE of Bath: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. McCLURE: Mr. Speaker, I move that we adjourn.

The SPEAKER: The gentleman from Bath, Mr. McClure, moves that the House do now adjourn.

As many as are in favor of the motion will say aye; those opposed will say 'no.

The Clerk will read the notices.

The vote is favorable on the motion to adjourn.

On motion by Mr. McClure of Bath,

Adjourned until 10 o'clock tomorrow morning.